

# Government Contra State

This necessarily brief summary of the distinction between these political institutions will serve, it is hoped, to interest the reader in further investigation. The distinction is based on historical evidence and is supported by the principles of political economy. The best argument for this distinction is in OUR ENEMY THE STATE by Albert Jay Nock. The interested reader will also find the following helpful: THE STATE, by Franz Oppenheimer; THE MAN VERSUS THE STATE, by Herbert Spencer; THE POLITICAL PHILOSOPHER, by Henry George.

OVER his fireplace, even before there were vigilantes or sheriffs, the frontiersman kept a ready market. It was standard equipment for the protection of life and property. It was his Government.

That is to say, Government arises from the innate sense of the right to life and the related right to property. The right to life is an indisputable axiom; it inheres in the individual by the necessity of existence. But the right to life is a meaningless abstraction until it is translated into the possession and enjoyment of things which make life possible, beginning with food, raiment and shelter. The undisturbed possession and enjoyment of things which give existence substance and reality is called the right of property.

When I say that I have a right to life I mean that all the elements which center in my person—body, and faculties and acquired characteristics—are an integral to which so other person can show a natural title. When I labor to produce anything I contribute part of "me" to the thing produced; it came into being because of "me." The sense of attachment to that thing may arise from the necessity of existence; I feel that it is mine not only because I made it but because I used it. At any rate, the relationship between things and persons which we call property rights is noted in the indisputable right of the person in himself.

Labor, therefore, is the moral basis of property rights. Labor, however, involves exertion, and exertion brings on a feeling of weariness and exhaustion. We seek to avoid it; we try to satisfy our desires with the least expenditure of labor. We are not interested in working *per se*; we are interested in enjoyment. Therefore, the getting of something "for free"—that is, without giving up any labor in return—is appealing to our instinct. This conflict between desire and the aversion to labor goes on in all of us; in that sense there is a "thief" in every one of us. That is why the frontiersman keeps a Government—a market—over his fireplace.

However, the more time the frontiersman puts into protecting his life and property the less time he has for enjoying life and producing property. Protection is a necessary nuisance. His neighbors are of like mind, and as soon as there are enough of them to make it possible they hire a policeman, a specialist with the market, to relieve them of the nuisance and of their business. They vote to give the authority necessary to maintain that peace and tranquility which is conducive to the production of property.

There is a threat to life and property also in the hazard of fire, so they vote against this danger a volunteer fire department arises. And again, as this business of putting out fires interferes with the prime business of producing goods and services, a specialist in fire-fighting is hired by the group. Other useful jobs come up in the community process, jobs which would be done on a voluntary basis by each of the producers were the

population sparse. Every one of these over-all, community jobs arises from the concern of the individual in his life and property, and is a job well done to the extent that his private enterprise is thereby promoted.

Government, then, is a specialized service arising out of community life. It owes its existence to the individual's interest in himself. Its specific job is to maintain the peace necessary to productive enterprise. Its related job is that of providing such services as may enable each of the specialists in the community to carry on more efficiently. And that's all. It is a negative specialty, operating only as occasion for its services arises. Whether as policeman, judge or street cleaner, Government adds nothing to the general fund of wealth directly. It is negative and neutral; it is an agent, not a principal; it is a servant, not a master.

THE distinctive characteristic of Government is that in performing its functions it may have recourse to the use of coercive authority. Its particular attribute is power, vested in it by the producing specialists for the specific purpose of maintaining a condition necessary to their production. But that very protective measure is a danger to all the producing specialists, because it can be used against them. The firearm which the frontiersman turns over to the constable may be used to rob him of his property. When it is so used, when the Government becomes predatory rather than protective, it ceases to be a service; it is the State.

Going back a bit, the moral basis of political authority is the right of life and the related right of property. But when that political authority is so exercised as to deny these basic rights it divests itself of all ethical validity, and that is so even if those who so exercise the political authority surround themselves with law, custom and a desire to do good. Just as a surgeon's scalpel becomes in fact a dagger when it is used with

the intent to kill, so when the exercise of political authority deprives the individual of his rights it ceases to be a service and becomes a disservice.

The State—those in whom the political authority is vested and who use it for other than protective purposes—justify their action by invoking a "higher law." That is, they substitute for the rights of the individual the rights of the clan, the community, the nation. But whence come the rights of these collective fictions? We are told that God made man, but nowhere is it asserted He also fathered an empire, or a village. That which we call "good" is a private affair and no way of transferring it to another person or group of persons has been discovered. Hence the idea that a number of people, acting together, have a right which supercedes the rights of the individual is pure fantasy, and one which, as experience shows, has been invented to no good purpose.

This is not to say that those who advance this idea are inherently wicked, or are more wicked than the rest of us. They may be motivated by the noblest of intentions, their hearts overflowing with the milk of human kindness. Nevertheless, when they speak of "my country, right or wrong," or "Deutschland über alles," or the abolition of private property for the furtherance of the general good, they advance the false notion of a "personal" State. There is no such thing; only individuals exist. And the idea is decidedly at variance with the concept of rights, for it assumes that the individual is subservient to the collectivity, as to both life and property.

Far from being a "person," the State is a group of persons who have acquired the power vested in Government and make use of it in such a manner as to deprive the individual of his right to life and property. The State is historically grounded in conquest. The purpose of conquest is exploitation. Exploitation is any means of getting goods and services without rendering an equivalent in exchange—that is, any method of "getting something for nothing." The

State, by virtue of the power of Government which it acquires, perpetuates the purpose of conquest; by legal methods it regularizes the exploitation of the producer, in favor of the non-producer; and by an elaborate system of education it obfuscates the immoral relationship and even covers the exploiters with an aura of respectability.

THE State is divided into two groups, those who wield political power and those who benefit by it. That is what we mean by the phrase "the State within the State." The keystone of this predatory structure is the power of taxation. Taxation is the regularized method of extracting property from producers for the benefit of the political arm of the State; the revenue enables it to maintain its administrative and executive machinery, particularly the military, and to induce acquiescence through its system of indoctrination. The more it taxes the stronger it becomes and, as a consequence, the weaker the power of resistance that may be brought to bear against it.

The beneficiaries of State-power are the privileged classes. The greatest privilege which the State can confer is that of collecting rent from users of the earth. As all production consists of the application of labor to land, the owners of mines, franchises and other choice spots are in a position to demand a permission-to-live price. Since nobody would of his own free will pay this price, which is in reality akin to tribute, force must underlie its payment; this the State supplies. Although this fact has been lost in the limbo of land-laws, it shows up clearly when we trace title deeds to their source: force or fraud. Nobody can put to property in land the moral title-test of "I made it."

Whenever necessary to maintain or strengthen its position the political arm of the State will hand out other privileges, and each group which thus secures for itself a means of enjoyment without labor becomes a supporter of its benefactor. In recent times we have seen how the State will shore itself up by handing out the dole-privilege to the "underprivileged" who have been taxed and rack-rented out of the opportunity of earning a living for themselves. As political power is incapable of producing a thing, the privileges handed out amount to the taking of production from some and giving it to others; this is the essence of exploitation, the object of conquest.

The distinction between Government and State, then, is in the use to which political coercion is put. When it is used negatively, for the protection of life and property, with which must be included the adjudicating of disputes among citizens, it is a service; when it is used positively, in the interests of one group of citizens, including politicians, against the interests of other groups, it is a disservice. In the one case it makes for harmony, in the other it is the cause of discord.

## What This Country Needs Is Guts

MY desk is loaded down with pamphlets. The half dozen I have read are well done; the writers support their points of view with logic and fact, their command of language is uncommonly good. In the next issue I will review them briefly and tell readers how copies can be secured. Pamphleteering should be supported, because it comes nearest to being a "free press." Whether you agree with the writer or not you get your money's worth in sincerity.

On the whole, the subject matter in these pamphlets "view with alarm" the tendency toward collectivism. They extol "free enterprise," show up the fallacies of "managed economy" and, while they avoid the phrase, are strong for what is known as *laissez-faire*.

However, the few I have read leave me cold; the writers are unwilling to go to the bottom of things. Either they are ignorant of the cause of the Statism they decri or are afraid to put the finger on it. I am reminded of the let-down Hayek's *Road to Serfdom* gave me; after proving that this road is paved with planning he offers "planning for competition" as a way out. How silly!

It is this pusillanimity that weakens the case of those who plead for freedom; a good argument is never won by cowardice. See how the Socialists, without rhyme or reason in their arsenal, are gaining the field. They know what they want and are not afraid to go after it—and without compromise. Their audacity rather than their argument gains them adherents.

On the other hand, freedom-lovers confine themselves mostly to avoiding and a weak demand for a little reform. They appear to be afraid of the freedom they are thumping for. Their lack of guts is appalling.

The State cannot be reformed into a social instrument. It originated in iniquity and exists for anti-social purposes only. Either it is destroyed—root and branch—or the individual is doomed to slavery. Those who would destroy it must understand its mechanism, and must be prepared to give up the privileges which the State has conferred on them. That is, if they mean what they say.

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